



DECISION MEMO

Forestwide Precommercial Thinning

**USDA Forest Service, Northern Region
Nez Perce-Clearwater National Forests**



I. Background

Precommercial thinning is an intermediate silvicultural treatment that occurs in young stands which have not reached commercial size. Stands targeted for treatment generally have a component of long-lived early seral species. The thinning treatment is designed to favor these species in order to maintain long term resistance and resilience at the landscape scale.

Although tree species diversity usually remains more or less unchanged, precommercial thinning can be used to shape the final composition of a forest intended for wildlife, recreational or other uses.

The Nez Perce – Clearwater National Forest proposes to precommercially thin approximately 1,667 acres of previously harvested, over-stocked, mixed conifer species stands from 2014 to 2017 in young forest stands which have resulted from regeneration harvests in the last 15 to 25 years. These stands have been determined to be in non-lynx habitat.

The category for this project is: 36 CFR 220.6(e)(6) *Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than one mile of low standard road construction.*

II. Purpose and Need

The purpose of this project is to:

- ✓ To maintain and promote shade intolerant seral species. The shade intolerant seral species generally tend to be more fire resistant and longer-lived than the shade tolerant species;
- ✓ To increase the amount of sunlight to the ground and sustain the diversity of early seral vegetation species including those browse species important to big game and to also lengthen the time period that this forage will otherwise be available;
- ✓ To reduce the long-term fire hazard conditions in the stands to be treated and adjacent forest by:
 - By reducing the ladder fuel hazard and the potential fuel buildup from future stem exclusion tree mortality.
 - By creating a break in the continuity of standing dense ladder fuels across the landscape;
- ✓ To accelerate the diameter and height growth on the remaining selected trees in

- order to increase future timber yield potential and to accelerate successional development to the larger size classes; and,
- ✓ To improve the vigor of the remaining trees to make them more resistant to insect and disease attacks and less vulnerable to ice and snow damage and thereby promote long-term forest health and resiliency.

Forestwide management direction in the Clearwater National Forest Plan related to this project can be found on pages II-20 to II-40 (USDA Forest Service, 1987). The management area direction for MA E1 may also apply to this project. This management area contains direction to provide optimum, sustained production of wood products.

Need (Existing Condition)

These previously harvested stands are overstocked with seedling and sapling conifer species. Stocking ranges from 500 to over 5,000 stems per acre.

In support of proposed efforts, handbooks and research analyses, such as FSH 2409.17 *Silvicultural Practices Handbook R1-Supplement 2409.17-99-1* (USDA Forest Service 1999) and *Precommercial Thinning of Coastal and Intermountain Forests in the Pacific Northwest* (Ed. Baumgartner 1971) recommend precommercial thinning activities to maintain and promote shade intolerant seral species, increase the amount of sunlight to the ground, reduce the long-term fire hazard conditions in the stands, accelerate the diameter and height growth on the remaining selected trees, and improve the vigor of the remaining trees.

III. Decision

I have decided to approve implementation of the precommercial thinning on approximately 1,667 acres of previously harvested, over-stocked, mixed conifer species stands from 2014 to 2017 in young forest stands which have resulted from regeneration harvests in the last 15 to 25 years. Legal coordinates for the project sites, as well as maps, are may be found as enclosures to this document.

The following standards and specifications will be adhered to during the course of this project:

All work will be done by hand using chainsaws; no ground disturbing activities are associated with this project.

- ✓ Only trees less than 5 inches in diameter will be felled, however, cull live trees up to 8 inches in diameter that will never make a crop tree will also be felled;
- ✓ No burning will occur in the stands after thinning or release, nor will any further mechanical slash treatment be done;
- ✓ Only existing roads will be used to provide access to the sites. All trees that are felled across any Forest road or trail will be removed;
- ✓ No thinning will occur within riparian habitat conservation areas (RHCA's); and,
- ✓ Boles will be cut flush with the ground if trees are located on a road or trail.

IV. Rationale for Decision and Reasons for Categorically Excluding the Decision

A. Category of Exclusion and Rationale for Using the Category

Based on information in this document and the project record, I have determined that no extraordinary circumstances affecting resource conditions exist (36 CFR 220.6), that this project may be categorically excluded from documentation in an EA or EIS, and that it meets all the criteria outlined for 36 CFR 220.6(e)(6) *Timber stand and/or wildlife habitat improvement activities that do not include the use of herbicides or do not require more than one mile of low standard road construction.*

The rationale for my decision is based on: 1) the proposed action fully meeting the criteria for Categorical Exclusions, 2) the proposed action meeting the purpose and need, 3) the findings related to extraordinary circumstances, discussed below, 4) the project's consistency with laws and regulations, including the Forest Plans, 5) the on-the-ground review and discussion with District resource specialists, and 6) my review of the Biological Assessments (BA), Biological Evaluations (BE), specialists' reports, and project record.

B. Finding of the Absence of Adverse Effects to Extraordinary Circumstances

Based on the findings for resource conditions described below, I have determined that no extraordinary circumstances are associated with my decision. Forest Service direction at 36 CFR 220.6(b) describes the resource conditions that should be considered in determining whether extraordinary circumstance related to the proposed action warrant further analysis and documentation in an EIS or EA.

Additionally, 36 CFR 220.6(b) states, "The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential affects of a proposed action on these resource conditions that determines whether extraordinary circumstances exist."

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat or Forest Service sensitive species:

The Interdisciplinary Team (ID Team) Botanist, Wildlife, and Fisheries Biologists determined the proposed action will have no direct or indirect effect or impact on listed or sensitive plant, wildlife or fish species or habitat, and suitable habitat will not be altered because habitat is not present in the project area, habitat is present but the species do not occur in the project area or habitat is present and the species may occur but the project will not affect the habitat for the species; therefore, no extraordinary circumstances were identified regarding the effects to these resources, as documented in the Biological Assessments and Evaluations, and specialists' reports (see plant, wildlife, and fish sections of the project record).

2. Floodplains, wetlands or municipal watersheds:

No floodplains, wetlands or municipal watersheds exist within the project areas.

Floodplains: The Project will not modify or occupy floodplains to an extent greater than already exists. As such, there will be no adverse impacts to floodplains; thereby complying with EO 11988 and FSH 1909.15, Chapter 30.3.2.

Wetlands: The Project does not propose to modify or destroy wetlands. As such, the Project will not adversely affect wetlands; thereby complying with EO 11990 and FSH 1909.15, Chapter 30.3.2.

Municipal Watersheds: The Project area is not located within a municipal watershed. As such, the Project will not adversely affect municipal watersheds; thereby complying with FSH 1909.15, Chapter 30.3.2.

Clean Water Act, Safe Drinking Water Act, and State Water Quality Laws: The proposed project is also consistent with all applicable State and Federal water quality laws because project Design Criteria and BMPs have been included to protect water resources.

No treatments will be conducted in RHCAs. So, there will be no expected changes to stream temperatures. There will be no road construction, reconstruction, or temporary road construction associated with this project. There will be no prescribed burning with this project. All material will be lopped and scattered onsite. There will be no mechanical treatments. So there will be no expected increases in sediment erosion and delivery.

3. Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas:

The project areas are not located in any Congressionally designated areas; therefore, no extraordinary circumstances were identified to this resource.

4. Inventoried Roadless areas or potential wilderness areas:

No activities are proposed in the Idaho Roadless area, and all proposed activities will occur in previously harvested stands.

The project is consistent with the Forest Plans. Consistent with the Idaho Roadless Rule, the Forest Service does not propose road construction or reconstruction or timber cutting, sale or removal in any Idaho Roadless Areas. Additionally, no mineral activities are proposed for this project. Furthermore, I determined that the nine Roadless characteristics will not be negatively affected by the proposal and the ability of the area to be considered for wilderness will not be altered.

Considering the consistency of this decision with the Forest Plans and its compatibility with the Idaho Roadless Rule, I find that no adverse effects to extraordinary circumstances exist associated with the Forestwide Precommercial Thinning Project.

5. Research Natural Areas:

The project area is not located in any research natural area; therefore, no extraordinary

circumstances were identified to this resource.

6. American Indians and Alaska native religious or cultural sites and

7. Archaeological sites or historical properties or areas: The Forest Archaeologist has determined:

Per 36 CFR 800.3(a)(1) the above named project has no potential to cause effects on historic properties, assuming such properties were present. Therefore, the Forest Service has no further legal obligation concerning National Historic Preservation Act compliance.

8. Soils: The Forest Soil Scientist has determined:

205 acres of proposed activity occur on landslide prone lands. The activity will not affect the stability of the lands. Soil quality standards apply to lands where vegetation and water resource management are the principal objectives. There are no new ground disturbing activities proposed as a part of the project and therefore the project is consistent with the standard.

V. Interested and Affected Agencies or Organizations, and Individuals Contacted

On January 29, 2014, letters providing information and seeking public comment was mailed to individuals and organizations, a variety of state and local agencies, and the Nez Perce and Coeur d'Alene tribal councils. Additionally, project information was made available at <http://www.fs.usda.gov/nezperce> under NEPA project. A legal notice appeared in the *Lewiston Tribune* on February 7, 2014, inviting comments for 30 days from publication. The letters and applicable responses are contained in their entirety in the project record.

Findings Required by Other Laws

Based on my review of the action associated with this project, I find that the Forestwide Precommercial Thinning Project is consistent with applicable Federal laws and regulations.

National Forest Management Act and Nez Perce and Clearwater National Forest Plans: This action is consistent with the Nez Perce and Clearwater National Forest Plans (USDA Forest Service 1987), as amended, as required by the National Forest Management Act of 1976 because they follow the standards and guidelines contained in those plans. In addition, the decision contributes to the maintenance or attainment of one or more goals, desired conditions or objectives or does not foreclose the opportunity to maintain or achieve any goals, desired conditioner objectives, over the long term, and is consistent with the Forest Plans' standards, and complies with applicable guidelines or is designed in a way that is as effective in achieving the purpose of the applicable guidelines, and the project activities occur in Management Areas that are specifically suitable for the intended activities or for which the plan is silent with respect to its suitability for that type of project or activity (36 CFR 219.15).

PACFISH/INFISH Riparian Habitat Conservation Areas (RHCA's): All activities associated with the proposed action comply with direction regarding PACFISH/INFISH

because no effects to riparian wildlife or fish species or habitat are anticipated and no activities are proposed within the RHCAs.

Endangered Species Act: A Forest Service Fish Biologist, Wildlife Biologist, and Botanist evaluated the proposed action with regard to the Endangered Species Act as documented in the Biological Assessments, Biological Evaluations, and specialists' reports, and determined the project is consistent with the Endangered Species Act because no effects to threatened and endangered species are anticipated.

The U.S. Fish and Wildlife Service was consulted and, by letter dated May 28, 2014, concurred with the findings of the Forest Fish and Wildlife Biologists. A copy of that concurrence letter may be found in the project record.

Clean Air Act: This project complies with the provisions of the Clean Air Act, and the rules, regulations, and permit procedures of the Environmental Protection Agency (EPA) and the Idaho Department of Environmental Quality (IDEQ). Compliance with procedures outlined in the North Idaho Smoke Management Memorandum of Agreement will result in no long term impacts to air quality. These measures protect air quality and ensure compliance with the rules, regulations, and permit procedures of the EPA and the IDEQ.

Clean Water Act and State Water Quality Laws: The Interdisciplinary Team Hydrologist has determined that this project complies with the Clean Water Act, and state and Federal water quality laws because it will have no notable adverse effects to the water quality of area or downstream waters.

National Historic Preservation Act: The Forest Cultural Resource Specialist has determined that the proposed action has little likelihood to adversely affect cultural properties because previous inventories have adequately covered the project area and no historic properties are present, the proposed project activities are not ground-disturbing in nature or the project is located in an area identified as having a low probability for the presence of historic properties, Traditional Cultural Properties or Native American religious sites; therefore, this project meets the Agency's responsibilities under the National Historic Preservation Act (16 USC 470), as amended, and is consistent with the *Programmatic Agreement between the Idaho State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Region 1 National Forests in Northern Idaho Regarding the Management of Cultural Resources*.

Migratory Bird Treaty Act: No substantial losses of migratory bird habitat are expected from the implementation of this proposal, nor any measurable impact on neotropical migratory bird populations as a whole, therefore, the proposed action will comply with the Migratory Bird Treaty Act.

The project complies with the U.S. Fish and Wildlife Service Director's Order 131 related to the applicability of the Migratory Bird Treaty Act to Federal agencies and requirements for permits for "take." In addition, the project complies with Executive Order 13186 because the analysis meets Agency obligations as defined under the January 16, 2001 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service designed to complement Executive Order 13186.

American Indian Treaty Rights: The Nez Perce Tribal Government Liaison and Nez Perce Tribal staff has had the opportunity to review the project for impacts to Nez Perce Tribe Treaty rights or Nez Perce Tribal members' abilities to exercise those rights. The Forest Service met with the Nez Perce Tribal staff on March 30, 2012 to discuss concerns the Nez Perce Tribe might have, and resolved the issues presented to us.

Environmental Justice: The proposed action will not disproportionately impact consumers, Native American Indians, women, low-income populations, other minorities or civil rights of any American Citizen in accordance with Executive Order 12898. No disproportionate impacts to minority or low-income populations were identified during scoping or the effects analysis.

Prime Farm Land, Range Land, and Forest Land: The proposed action complies with the Federal Regulations for prime land. The definition of "prime" forest land does not apply to lands within the National Forest System. The project area does not contain any prime range land or farm land. Federal lands will be managed with appropriate sensitivity to the effects on adjacent lands.

Energy Requirements: No unusual energy demands are required to implement the proposed action.

Other Laws or Requirements: The proposed action is consistent with all other Federal, state or local laws or requirements for the protection of the environment and cultural resources.


VI. Administrative Review and Appeal Opportunities, and Implementation Date

This decision is no longer subject to appeal pursuant to the US Court of Appeals for the Ninth Circuit Court Order, filed March 7, 2014, in Case 12-16206 (DC 1:11-cv-00679-LJO-DLB). The project may be implemented during the timeframe specified above.

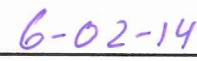
VII. Contact Person

Questions regarding this decision should be sent to Linda S. Helm, c/o Nez Perce-Clearwater National Forests Supervisor's Office, 903 Third Street, Kamiah, Idaho 83536 or by phone at (208) 935-4285 or facsimile transmittal at (208) 983-4275 during business hours (7:30 a.m. to 4:30 p.m., M-F (PST), excluding Federal holidays).

Signature of Deciding Officer



RICK BRAZELL
Forest Supervisor
Nez Perce – Clearwater National Forests



Date

Enclosure: Spreadsheet of Legal Coordinates; Maps of Project Sites

cc: Geoff Kaeberle, Matt Bienkowski, Marcus Chin, Mark Anderson, Claire Brick

Forestwide Precommercial Thinning – 2014 – 2017 (Non-Lynx Habitat)
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Legal Coordinates for Thinning Sites

TOWNSHIP	RANGE	SECTION NUMBER	LEGAL DESCRIPTION
30 N	7E	4&9	Sec.4&9, T.030.0N., R.007.0E., 08
33 N	6 E	21	Sec.21, T.033.0N., R.006.0E., 08
33 N	6 E	2	Sec.2, T.033.0N., R.006.0E., 08
33 N	6 E	10	Sec.10, T.033.0N., R.006.0E., 08
33 N	6 E	9	Sec.9, T.033.0N., R.006.0E., 08
33 N	6 E	1	Sec.1, T.033.0N., R.006.0E., 08
33 N	6 E	12	Sec.12, T.033.0N., R.006.0E., 08
33 N	6 E	11	Sec.11, T.033.0N., R.006.0E., 08
33 N	6 E	16	Sec.16, T.033.0N., R.006.0E., 08
33 N	7 E	3	Sec.3, T.033.0N., R.007.0E., 08
33 N	7 E	4	Sec.4, T.033.0N., R.007.0E., 08
33 N	7 E	5	Sec.5, T.033.0N., R.007.0E., 08
33 N	7 E	9	Sec.9, T.033.0N., R.007.0E., 08
33 N	7 E	8	Sec.8, T.033.0N., R.007.0E., 08
33 N	7 E	32	Sec.32, T.033.0N., R.007.0E., 08
33 N	7 E	33	Sec.33, T.033.0N., R.007.0E., 08
33 N	7 E	28	Sec.28, T.033.0N., R.007.0E., 08
34 N	6 E	1	Sec.1, T.034.0N., R.006.0E., 08
34 N	6 E	2	Sec.2, T.034.0N., R.006.0E., 08
34 N	6 E	3	Sec.3, T.034.0N., R.006.0E., 08
34 N	6 E	11	Sec.11, T.034.0N., R.006.0E., 08
34 N	6 E	10	Sec.10, T.034.0N., R.006.0E., 08
34 N	6 E	17	Sec.17, T.034.0N., R.006.0E., 08
34 N	6 E	21	Sec.21, T.034.0N., R.006.0E., 08
34 N	6 E	28	Sec.28, T.034.0N., R.006.0E., 08
34 N	6 E	29	Sec.29, T.034.0N., R.006.0E., 08
34 N	6 E	36	Sec.36, T.034.0N., R.006.0E., 08
34 N	7 E	6	Sec.6, T.034.0N., R.007.0E., 08
34 N	7 E	10	Sec.10, T.034.0N., R.007.0E., 08
34 N	7 E	9	Sec.9, T.034.0N., R.007.0E., 08
34 N	7 E	16	Sec.16, T.034.0N., R.007.0E., 08
34 N	7 E	21	Sec.21, T.034.0N., R.007.0E., 08
34 N	7 E	26	Sec.26, T.034.0N., R.007.0E., 08
34 N	7 E	33	Sec.33, T.034.0N., R.007.0E., 08
34 N	7 E	32	Sec.32, T.034.0N., R.007.0E., 08
34 N	7 E	5	Sec.5, T.034.0N., R.007.0E., 08
34 N	7 E	17	Sec.17, T.034.0N., R.007.0E., 08
34 N	7 E	20	Sec.20, T.034.0N., R.007.0E., 08
34 N	7 E	30	Sec.30, T.034.0N., R.007.0E., 08
34 N	7 E	13	Sec.13, T.034.0N., R.007.0E., 08

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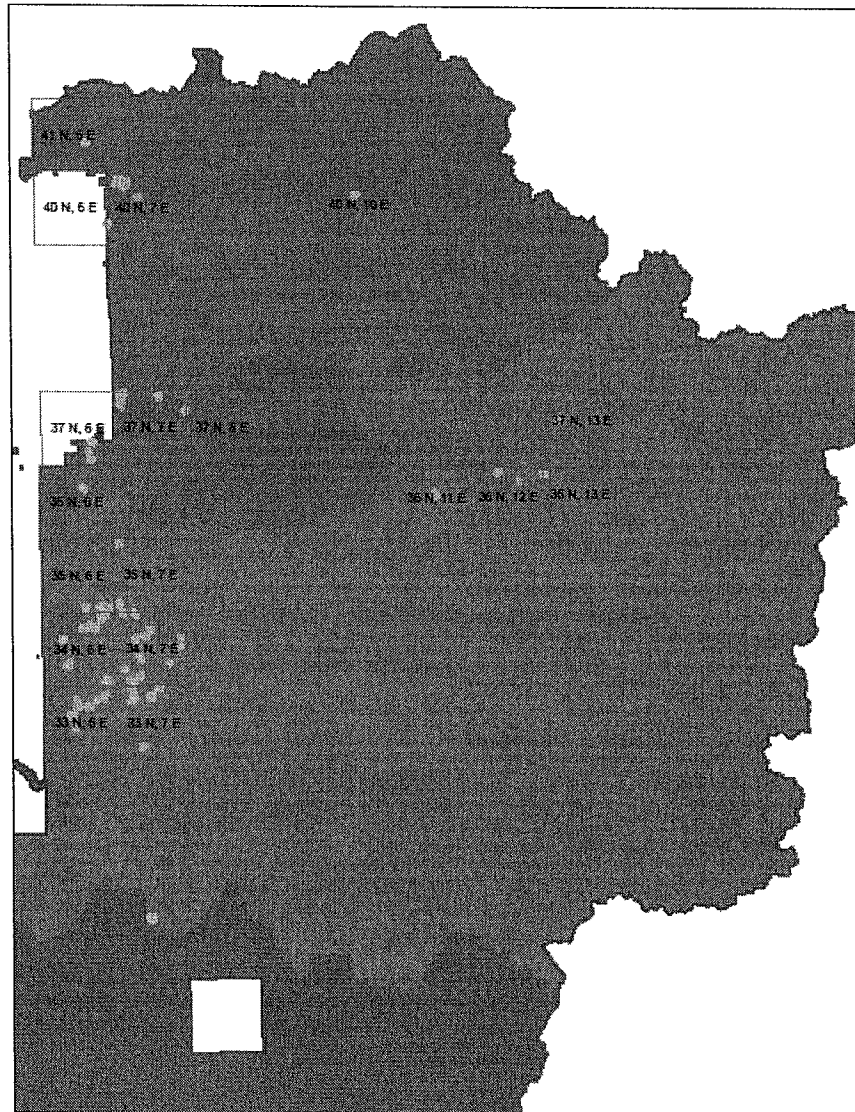
35 N	6 E	36	Sec.36, T.035.0N., R.006.0E., 08
35 N	6 E	35	Sec.35, T.035.0N., R.006.0E., 08
35 N	6 E	34	Sec.34, T.035.0N., R.006.0E., 08
35 N	7 E	31	Sec.31, T.035.0N., R.007.0E., 08
35 N	7 E	32	Sec.32, T.035.0N., R.007.0E., 08
35 N	7 E	6	Sec.6, T.035.0N., R.007.0E., 08
36 N	11 E	16	Sec.16, T.036.0N., R.011.0E., 08
36 N	11 E	15	Sec.15, T.036.0N., R.011.0E., 08
36 N	11 E	21	Sec.21, T.036.0N., R.011.0E., 08
36 N	12 E	9	Sec.9, T.036.0N., R.012.0E., 08
36 N	12 E	10	Sec.10, T.036.0N., R.012.0E., 08
36 N	12 E	12	Sec.12, T.036.0N., R.012.0E., 08
36 N	12 E	4	Sec.4, T.036.0N., R.012.0E., 08
36 N	13 E	7	Sec.7, T.036.0N., R.013.0E., 08
36 N	6 E	10	Sec.10, T.036.0N., R.006.0E., 08
37 N	13 E	17	Sec.17, T.037.0N., R.013.0E., 08
37 N	13 E	18	Sec.18, T.037.0N., R.013.0E., 08
37 N	13 E	19	Sec.19, T.037.0N., R.013.0E., 08
37 N	6 E	23	Sec.23, T.037.0N., R.006.0E., 08
37 N	6 E	26	Sec.26, T.037.0N., R.006.0E., 08
37 N	6 E	27	Sec.27, T.037.0N., R.006.0E., 08
37 N	6 E	35	Sec.35, T.037.0N., R.006.0E., 08
37 N	6 E	34	Sec.34, T.037.0N., R.006.0E., 08
37 N	7 E	5	Sec.5, T.037.0N., R.007.0E., 08
37 N	7 E	6	Sec.6, T.037.0N., R.007.0E., 08
37 N	7 E	12	Sec.12, T.037.0N., R.007.0E., 08
37 N	7 E	7	Sec.7, T.037.0N., R.007.0E., 08
37 N	7 E	3	Sec.3, T.037.0N., R.007.0E., 08
37 N	8 E	7	Sec.7, T.037.0N., R.008.0E., 08
40 N	10 E	16	Sec.16, T.040.0N., R.010.0E., 08
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40 N	7 E	7	Sec.7, T.040.0N., R.007.0E., 08
40 N	7 E	16	Sec.16, T.040.0N., R.007.0E., 08
40 N	7 E	30	Sec.30, T.040.0N., R.007.0E., 08
40 N	7 E	6	Sec.6, T.040.0N., R.007.0E., 08
41 N	3 W	11	Sec.11, T.041.0N., R.003.0W., 08
41 N	6 E	23	Sec.23, T.041.0N., R.006.0E., 08
42 N	1 W	6	Sec.6, T.042.0N., R.001.0W., 08
42 N	1 W	18	Sec.18, T.042.0N., R.001.0W., 08
42 N	1 W	21	Sec.21, T.042.0N., R.001.0W., 08
42 N	1 W	20	Sec.20, T.042.0N., R.001.0W., 08
42 N	1 W	29	Sec.29, T.042.0N., R.001.0W., 08
42 N	1 W	7	Sec.7, T.042.0N., R.001.0W., 08

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42 N	1 W	22	Sec.22, T.042.0N., R.001.0W., 08
42 N	1 W	4	Sec.4, T.042.0N., R.001.0W., 08
42 N	1 W	5	Sec.5, T.042.0N., R.001.0W., 08
42 N	2 W	6	Sec.6, T.042.0N., R.002.0W., 08
42 N	2 W	5	Sec.5, T.042.0N., R.002.0W., 08
42 N	2 W	4	Sec.4, T.042.0N., R.002.0W., 08
42 N	2 W	8	Sec.8, T.042.0N., R.002.0W., 08
42 N	2 W	9	Sec.9, T.042.0N., R.002.0W., 08
42 N	2 W	10	Sec.10, T.042.0N., R.002.0W., 08
42 N	2 W	13	Sec.13, T.042.0N., R.002.0W., 08
42 N	2 W	14	Sec.14, T.042.0N., R.002.0W., 08
42 N	2 W	24	Sec.24, T.042.0N., R.002.0W., 08
42 N	2 W	23	Sec.23, T.042.0N., R.002.0W., 08
42 N	2 W	11	Sec.11, T.042.0N., R.002.0W., 08
42 N	2 W	12	Sec.12, T.042.0N., R.002.0W., 08
42 N	4 W	12	Sec.12, T.042.0N., R.004.0W., 08
42 N	4 W	1	Sec.1, T.042.0N., R.004.0W., 08
42 N	4 W	2	Sec.2, T.042.0N., R.004.0W., 08
43 N	1 W	30	Sec.30, T.043.0N., R.001.0W., 08
43 N	1 W	31	Sec.31, T.043.0N., R.001.0W., 08
43 N	2 W	32	Sec.32, T.043.0N., R.002.0W., 08
43 N	2 W	28	Sec.28, T.043.0N., R.002.0W., 08
43 N	2 W	33	Sec.33, T.043.0N., R.002.0W., 08

Maps of Project Sites

PCT 2014 Units - East Side



PCT 2014 Units - West Side

